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Kristin A. Linn

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIALIn re the Application of: **Makoto Saito**

Group Art Unit: 2135

Serial No.: 08/895,493

Examiner: James SEAL

Filed: July 16, 1997

Confirmation No.: 1079

For: **METHOD FOR CONTROLLING DATABASE COPYRIGHTS**

Attorney Docket No.: 990812

Customer Number: 38834

**REQUEST FOR CORRECTED OFFICE ACTION
UNDER MPEP §710.06**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

June 23, 2004

Sir:

Further to the telephone conference with Examiner Seal on June 23, 2004, the Applicant respectfully submits this formal request for a corrected Office Action, resetting the period for response, pursuant to MPEP §710.06.

The Office Action mailed May 25, 2004 is defective for failing to respond to the Applicant's Request for Reconsideration filed on December 11, 2003. Instead, the Office Action states that it is responsive to an earlier filed Request for Continued Examination (RCE) filed June 11, 2003. While the RCE was filed as noted in the Office Action, there had already been an earlier Office Action dated September 15, 2003 responding to the RCE. In fact, the present Office Action dated May 25, 2004 is identical to the September 15, 2003 Office Action, even

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with the Examiner's signature dated September 8, 2003. Apparently, the U.S. PTO mailed out a duplicate of the earlier Office Action. The Applicant respectfully requests a corrected Office Action properly responding to the Request for Reconsideration filed on December 11, 2003.

This Request for a Corrected Office Action is being submitted within one (1) month from the mailing date of the defective Office Action. Accordingly, pursuant to MPEP §710.06, the Office "*will* restart the previously said period for reply to run from the date the error is corrected."

The Commissioner is authorized to charge our Deposit Account No. 50-2866 for any fee which is deemed by the Patent and Trademark Office to be required to effect consideration of this statement.

Respectfully Submitted,

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